

Fair Political Practices Commission
MEMORANDUM

To: Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh and Remy
From: Whitney Barazoto, Government Affairs Director
Subject: Legislative Report
Date: December 28, 2007

Proposed Legislation for Commission Sponsorship

On January 7, 2008, the Legislature will reconvene to begin the second-year of the 2007-08 Legislative Session. Below is a summary of potential legislative proposals for 2008. If the Commission chooses to support these concepts, staff will seek bill authors for each, develop language, and begin moving them forward through the legislative process.

1. Online Filing of Behested Payments

This proposal would require online filing of payments that are made at the behest of a candidate who is an elected officer and that are made principally for legislative, governmental, or charitable purposes. This would align the reporting of these “behested payments” with the filing of campaign statements so that information about both can be found in the same place.

2. Enhanced Disclosure of Late Contributions

This proposal would require campaign recipients to disclose on the late contribution report the total amount of all late contributions received from each donor as well as the total amount received by all donors during the late reporting period (the last 16 days before an election). It would also require contributors to disclose the total amount of all late contributions made to each recipient during the late reporting period. Such a total is now mandatory on most other reports filed prior to the last 16 days before an election; this proposal would extend that requirement to the late reporting period.

3. Candidate Committee Name

This proposal would require a candidate to include the following information in his or her committee name: 1) the name of the office sought by the candidate, and 2) the year in which election to that office will occur. Current law requires the candidate to include this information in the candidate’s Statement of Organization, but not in the name of the candidate’s committee. This proposal would require the name and year of the office sought to appear in the committee name so the specific purpose of the committee is evident on its face.

4. Spot Bill

This will be a vehicle for a future proposal.

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Continuing Legislation

The following bills were introduced in 2007 and may continue to move forward in 2008. A bill introduced in 2007 must pass its house of origin by January 31, 2008, or it will no longer move forward in this two-year legislative session.

AB 65 (Dymally) Legislative Caucuses

This bill would allow a Senator or Assembly Member to contribute campaign funds to recognized legislative caucuses for legislative or governmental purposes and would require the caucus to report contributions and expenditures to the Assembly or Senate.

Status: On Assembly Floor

AB 78 (Torrico) Interest on Campaign Accounts

This bill would require the interest earned by candidate-controlled committee bank accounts to be transferred to the State and appropriated to the Commission and would allow committees to pay an opt-out fee of \$5,000 to the Commission in lieu of calculating and transferring the interest to the State.

Status: Assembly Appropriations Committee

AB 108 (Benoit) Aggregation of Contribution Limits

This bill would aggregate contribution limits in cases where a candidate is running for a state and local office simultaneously. Aggregation would not apply to candidate-controlled ballot measure committees.

Status: Senate Elections Committee

AB 357 (Mendoza) Legal Defense Funds

This bill would allow legal defense funds to be used to pay attorney's fees and costs related to election recounts and election contests.

Status: Senate Elections Committee

AB 517 (Horton) Restrictions on Contributions

This bill would prohibit contributions to candidates for elective state office during the last 30 days of session and during any special session that occurs while the legislature is scheduled to be on interim recess.

Status: Assembly Elections Committee

AB 583 (Hancock) Clean Money Act

This bill would enact the California Clean Money and Fair Elections Act of 2006, which would authorize eligible candidates for Governor and for one seat in each legislative house to obtain public funds to campaign for elective office.

Status: Senate Elections Committee

AB 1369 (Adams) Electronic Filing of Campaign Statements

This bill would require campaign statements that are filed by candidates and committees with a city or county filing officer to be made available on the internet by the local filing officer.

Status: Assembly Appropriations Committee

SB 217 (Cogdill) Conflict-of-Interest Code

This bill designates the county board of education instead of the county board of supervisors as the code reviewing body for school districts and local education offices. It would also designate the Superintendent of Public Instruction as the code reviewing body for certain county education offices and would designate the California Community College Board of Governors as the code reviewing body for all community college districts.

Status: Senate Appropriations Committee

SB 381 (Calderon) Co-Sponsored Event Payments

This bill would extend the reporting deadline from 30 to 90 days and raise the reporting threshold from \$5,000 to \$7,000 for payments made at the behest of a candidate to a nonprofit or government organization for legislative, governmental, or charitable purposes. The bill would also exempt candidates from reporting when the candidate is mentioned in a press release or is listed among multiple names on a communication, when the candidate conducts an interview or public service announcement, or when a government agency made the payment.

Status: On Senate Floor

SB 536 (Simitian) Insurance Commissioner Campaigns

This bill would enact the Insurance Commissioner Election Accountability Act of 2006, which would authorize eligible Insurance Commissioner candidates to obtain public financing from a fund made up of fees collected from insurers, reimbursements, and interest.

Status: Senate Banking, Finance, and Insurance Committee

SB 662 (Wiggins) Conflict-of-Interest Codes

This bill designates the county board of education instead of the county board of supervisors as the code reviewing body for school districts and local education offices.

Status: Senate Appropriations Committee